

DEFICIENCY PROGRESS REPORT – UPDATE 1

Submitted February 17, 2009

CUPA: SOLANO COUNTY DIVISION OF ENVIRONMENTAL HEALTH

Evaluation Dates: August 26 and 27, 2008

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Deficiencies Corrected to date: #1, #2, #3, #5 and #6

Deficiencies Corrected with Update 1: #4

1. **Deficiency:** The CUPA is unable to document that some facilities that have received a notice to comply for minor violations have returned to compliance within an established timeframe.

Corrective Action: The CUPA will follow its I&E Program Plan. By November 25, 2008, submit examples of RTC or a complete follow-up report for a hazardous waste generator site and an UST facility.

CUPA Update 1: [This deficiency was corrected on November 6, 2008. The CUPA followed its I&E Program Plan and submitted several examples of RTC and complete follow-up report for hazardous waste generator and underground storage tank (UST) facilities. No further update is required.]

2. **Deficiency:** The CUPA is not inspecting all its Permit-by-Rule (PBR), conditionally authorized (CA), conditionally exempt (CE) and household hazardous waste (HHW) facilities at least once every three years.

Corrective Action: The CUPA will complete inspections of all PBR, CA, CE, and HHW facilities within a three-year inspection cycle. The CUPA will prioritize inspections based on the risk and complexity of the facilities.

By October 27, 2008, the CUPA will develop an action plan outlining how the CUPA will inspect all of its TP and HHW facilities once every three years. Beginning November 25, 2008, the CUPA will provide a status of implementing its plan, including the total number of TP and HHW facilities and number of compliance inspections conducted.

CUPA Update 1: [This deficiency was corrected in September 2008. No further update is required.]

3. **Deficiency:** During the oversight of the farm inspection under the business plan program, the Agricultural inspector did not review the facility training and emergency response programs.

Corrective Action: This deficiency was corrected at the time of the evaluation.

CUPA Update 1: [No further update is required.]

4. **Deficiency:** The CUPA did not ensure that the businesses certify at least once every three years that they have reviewed their business plans and that necessary changes were made to the plan.

Corrective Action: By November 25, 2008, the CUPA will submit an action plan outlining how the CUPA will correct this deficiency.

CUPA Update 1: [Solano County Department of Resource Management has created a Hazardous Materials Business Plan recertification form to provide to businesses to use to either recertify their HMBP documents or triggering the businesses to revise and update their plans. This document has been submitted to Cal EPA for their review and concurrence. The forms have been distributed to the Hazardous Materials staff and will be placed on the website so businesses will have access to these forms.]

Cal/EPA Response: Cal/EPA has reviewed the submittals and has determined the progress on this deficiency is sufficient to consider it corrected at this time, no further updates are required.

5. **Deficiency:** The CUPA is not requiring underground storage tank (UST) facility owner/operators to complete the new forms A, B, and D since the forms were changed in December 2007...Some of the plot plans in the files reviewed were absent or did not have all of the required information.

Corrective Action: By August 26, 2009, the CUPA will require all facility owners/operators to complete new forms A, B, and D (including plot plans).

CUPA Update 1: [Cal/EPA received a progress report of this deficiency on December 29, 2008, indicating that the CUPA is submitting the new forms to its UST facilities. This deficiency has been corrected; and therefore, no further update is required.]

6. **Deficiency:** Some of the plot plans in the UST facility files reviewed were absent or did not have all of the required elements.

Corrective Action: By August 26, 2009, the CUPA will ensure that each facility has submitted a plot plan and that it has all of the required elements.

CUPA Update 1: **Currently a new staff is obtaining UST training by reviewing the permit information identifying out dated forms and site diagrams with missing information.** The Hazardous Materials Staff is also reviewing each facility file before conducting inspections and determining if the plot plan in the file includes all the required information. If the plot plan is incomplete then the Hazardous Materials Staff require facilities to submit updated site diagrams along with any other underground storage tanks forms that are out of date.

SWRCB Response: The progress and work that the CUPA is doing to resolve the plot plan deficiency is sufficient. The SWRCB considers this deficiency corrected.